

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MONSANTO COMPANY and
MONSANTO TECHNOLOGY LLC,

Plaintiffs,

vs.

E.I. DU PONT DE NEMOURS AND
COMPANY and
PIONEER HI-BRED INTERNATIONAL,
INC.,

Defendants.

Case No. 4:09-cv-00686-ERW

**MOTION FOR LEAVE TO FILE MONSANTO’S REPLY MEMORANDUM
OF POINTS AND AUTHORITIES IN SUPPORT OF MONSANTO’S
MOTION FOR SANCTIONS FOR DISCOVERY MISCONDUCT UNDER SEAL**

Plaintiffs, Monsanto Company and Monsanto Technology LLC (collectively “Monsanto”), respectfully move the Court for an order allowing Monsanto to file a complete, unredacted copy of its Reply Memorandum of Points and Authorities in Support of Monsanto’s Motion for Sanctions for Discovery Misconduct (“Reply”), under seal. As grounds for this relief, Monsanto states:

1. This Court has previously allowed the parties to file various unredacted pleadings and confidential documents under seal. See e.g., Docket Text Orders entered May 20, 2009 and June 17, 2009. Further, the protective order entered herein provides for the filing of confidential information and documents under seal.

3. Portions of Monsanto’s Reply quote from and/or paraphrase from deposition testimony that Defendants have designated as Restricted Confidential pursuant to the protective

order. Therefore, the unredacted Reply should be sealed. Monsanto will also file a redacted copy of Monsanto's Reply in the public record.

WHEREFORE, Monsanto respectfully requests the Court enter an order allowing Monsanto to file a complete, unredacted copy of its Reply Memorandum of Points and Authorities in Support of Monsanto's Motion for Sanctions for Discovery Misconduct, under seal.

Dated: January 24, 2011

Respectfully submitted,

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By: /s/ Joseph P. Conran.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 24th day of January, 2011, the foregoing was filed electronically with the Clerk of the Court for the United States District Court for the Eastern District of Missouri, Eastern Division, and was served by operation of that Court's electronic filing system, upon the following:

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